

REMARKS

Reconsideration of this application in view of the following remarks is requested. Claims 1-27 are pending in the application. Claim 18 has been amended. Applicant files herewith a Request for Continued Examiner pursuant to 37 CFR § 1.114.

In the Official Action dated June 23, 2008, the Examiner rejects claims 18-23 and 25-27 under 35 USC §102(e) as anticipated by England (U.S. Patent No. 6,144,991) and claims 1-3, 8-12, 14, 15 and 17 under 35 USC §103(a) as unpatentable over England in view of U.S. Patent No. 6,108,687 to Craig ("Craig"), and claims 5-7 under 35 USC §103(a) as unpatentable over England in view of Craig, in further view of Rutledge et al, "*Using Microsoft PowerPoint 2000*." Further, the Examiner rejects claim 16-24 under 35 USC §103(a) as unpatentable over England in view of Craig, in further view of the Examiner's Official Notice.

Applicant appreciates the Examiner's consideration of the Response to the Office Action dated December 14, 2007 and designation of allowable subject matter in claims 4 and 13 of this application.

Applicant submitted a response on August 19, 2008 to the Office Action which was not entered onto the record for the reasons explained in the Advisory Action dated August 26, 2008.

Specification

On page 2 of the Office Action, the Examiner discusses the proper use of a trademark in a patent specification and proper designation. Applicant has reviewed the specification and believes it is in accordance with § 608.01(v) of the MPEP in regard to clarity and distinguishing of the trademarks used in the specification. Applicant requests the Examiner

to specifically describe any improper designation of any trademark(s) in the specification and the location in the specification for correction by the Applicant. The Applicant appreciates the Examiners assistance in this matter.

Claim Rejections – 35 USC § 102(e)

The Examiner rejects claims 18-23 and 25-27 under 35 U.S.C. 102(e) as being anticipated by England. Applicant respectfully traverses the Examiner's rejection.

“To anticipate a claim, the reference must teach every element of the claim.” MPEP § 2131. The Patent and Trademark Office ("PTO") determines the scope of claims in patent applications not solely on the basis of the claim language, but upon giving claims their broadest reasonable construction “in light of the specification as it would be interpreted by one of ordinary skill in the art.” MPEP § 2111 (citing *In re Am. Acad. of Sci. Tech. Ctr.*, 367 F.3d 1359, 1364 (Fed. Cir. 2004)).

Applicant has amended claim 18 to recite the limitation of a “single conference” in the structural limitation section of the claim. As noted by the Examiner, *England does not explicitly teach wherein the leader and the other computers are participating in no more than one conference simultaneously*. Office Action, page 7. Applicant appreciates the Examiner's comments on page 16 of the Office Action, regarding the language of the preamble of a claim.

In view of the above amendment and remarks, Applicant respectfully submits that claim 18 as currently amended is distinguished over the prior art. Further, Applicant submits claims 19-23 and 25-27 which depend directly or indirectly from claim 18 is distinguished over the prior art. Applicant respectfully requests that the Examiner withdraw the 35 USC §102 rejection to claims 18-23 and 25-27.

Claim Rejections – 35 USC § 103

The Examiner rejects claims 1-3, 8-12, 15, 15 and 17 under 35 USC §103(a) as unpatentable over England in view of Craig.

Applicant respectfully traverses these rejections.

A rejection under §103 requires a showing of all of the following: 1) there must be some suggestion or motivation to modify or combine the references as suggested by the Examiner (it is not sufficient to say that the cited reference can be modified or combined without a teaching in the prior art to suggest the desirability of the modification; 2) there must also be a reasonable expectation of success; and 3) the references must teach or suggest all limitations of the claims. The teaching or suggestion to combine or modify the applied art and the reasonable expectation of success must both be found in the prior art and not in applicant's specification (MPEP § 2143).

The combination of references cited do not provide a suggestion or motivation to modify or combine the references as suggested by the Examiner. Moreover, the Craig reference is contrary to the teaching of both the present invention and England. Specifically, Craig teaches, "The intended operation of the invention...requires no further input from the student beyond the initial download and connection to the presentation." Column 8, lines 66-67 and column 9 lines 1-2. This is contrary to the "interactive" technology of both the present invention and England. Considering *arguendo* that the combination of England and Craig include all of the limitation of the rejected claims, which they do not, one of skill in the art would not look to Craig to combine with England to obtain the present invention.

The contrary teaching in Craig to the present invention and England is confirmed in column 9, lines 23-25, wherein it states, "No instructor is needed for the student to operate in

this standalone mode.” This is contrary to the teaching of both the present invention and England by 1) being a non-interactive session and 2) eliminating the need for the instructor (or “leader”). As it is appreciated that the present invention has ability to “reverse” the leader of the session, it does require at least one leader to guide the other participants. This is clearly not the intention of Craig.

The Examiner rejects claims 5-7 under 35 USC §103(a) as unpatentable over England in view of Craig, in further view of Rutledge et al, “*Using Microsoft PowerPoint 2000.*”

Applicant respectfully traverses this rejection.

For the reasons discussed herein one of skill in the art would not find any motivation or suggestion to combine England with Craig to obtain the present invention. Specifically, as noted by the Examiner, England does not include the limitation of participation in a single conference as in section “e)” of claim 5, and no motivation or suggestions exists to look to Craig as submitted by the Examiner.

The Examiner rejects claims 16 and 24 under 35 USC §103(a) as unpatentable over England in view of Craig, in further view of Examiner’s Official Notice.

Applicant respectfully traverses this rejection.

In regard to claims 16 and 24, Applicant appreciates the “Official Notice” taken by the Examiner, however, in view of the comments herein and the amendments to claim 18, Applicant believes claims 1 and 18, and any claims which depend directly or indirectly therefrom, are distinguished over the related art and are in condition for allowance.

In view of the above amendments and remarks, Applicant submits that the pending claims, 1-27, distinguish over the prior art, and respectfully requests that the Examiner withdraw the 35 USC §103 rejections.

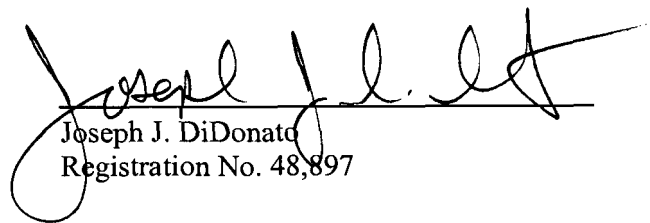
CONCLUSION

In light of the above amendments and remarks, Applicant submits that pending claims 1-27 are allowable, that the application is in condition for allowance, and requests that the Examiner issue an early notice of allowance. The Examiner is invited to call the undersigned attorney in the event that a telephone interview will advance prosecution of this application.

The Commissioner is hereby authorized to charge any deficiency or credit any overpayment of the fees associated with this communication to Deposit Account No. 02-2555.

Respectfully submitted,

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